

# KING & SPALDING

King & Spalding LLP  
1185 Avenue of the Americas  
New York, NY 10036-4003

Tel: (212) 556-2100  
Fax: (212) 556-2222  
[www.kslaw.com](http://www.kslaw.com)  
Arthur Steinberg  
Direct Dial: 212-556-2158  
[asteinberg@kslaw.com](mailto:asteinberg@kslaw.com)

March 29, 2018

**VIA E-MAIL TRANSMISSION  
AND ECF FILING**

The Honorable Martin Glenn  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
Alexander Hamilton Custom House  
One Bowling Green  
New York, New York 10004

**Re: In re Motors Liquidation Company, *et al.***  
**Case No. 09-50026 (MG)**

Dear Judge Glenn:

On March 26, 2018, Brown Rudnick LLP filed a letter with the Court [ECF No. 14257] (“**BR Letter**”) on behalf of certain economic loss and personal injury plaintiffs (“Plaintiffs”) seeking, *inter alia*, to adjourn the reporting date for updating the Court with respect to the Late Claims matter from April 9 to April 25, 2018. The Court granted the relief requested on March 27, 2018 [ECF No. 14258].

The BR Letter referred to some upcoming events in MDL 2543. New GM is writing to inform the Court of additional proceedings pending in MDL 2543 that bear on Plaintiffs’ late claims.

In particular, the BR Letter references Judge Furman’s forthcoming decision on the “benefit of the bargain” issue and how that may impact the Late Claims matter.<sup>1</sup> To more fully understand other relevant MDL events, attached as **Exhibit “A”** is a Schedule of Certain MDL 2543 Events That May Impact the Late Claims Matter. Likewise, since the BR Letter refers to Plaintiffs’ submissions of additional expert reports for economic loss claims, the attached Exhibit “A” reflects the timing of *Daubert* motion practice relating to those experts.

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<sup>1</sup> The “benefit of the bargain” issue concerns whether vehicle owners who purchased a vehicle with a defect have legally cognizable benefit-of-the-bargain damages after the manufacturer recalls and repairs the defect, or offers to repair it, free of charge.

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Furthermore, at the March 22, 2018 MDL Conference, Judge Furman stated that he would enter an order establishing procedures to cull pre-363 Sale accident cases pending in the MDL, much like MDL Order No. 140<sup>2</sup> did for post-363 Sale accident cases. Generally, MDL Order No. 140 covered a number of procedures to apply Judge Furman's airbag deployment summary judgment opinion and other applicable legal defenses to post-363 Sale accident cases, and that process is continuing. As discussed with Judge Furman at that conference, there is a substantial overlap between the pre-363 Sale accident cases against New GM in the MDL and the personal injury or accident late claims filed against the GUC Trust in the Bankruptcy Court.<sup>3</sup> New GM will therefore provide a copy to this Court of all MDL orders regarding pre-363 Sale accident cases.

New GM respectfully requests the Court's consideration of these related proceedings.

Respectfully submitted,

*/s/ Arthur Steinberg*

Arthur Steinberg

AJS/sd

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<sup>2</sup> A copy of MDL Order No. 140 is attached as **Exhibit "B."**

<sup>3</sup> Based on current available information, there are 334 accident claimants in MDL 2543 that have also sought authority to file late proofs of claim in the Bankruptcy Court.